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SWORN STATEMENT OF CIRCULATION, tate of Nobraska [88]. County of Douglas. [88]. County of The Bee Jublishing Company, does solomnly swear that the notual circulation of The Daily Bee for the week ending March 26, 1892, was as follows: [89]. [88]. [8
 follows:
 28,905

 Funday, March 20.
 28,905

 Monday, March 21.
 33,634

 Tuesday, March 22.
 33,964

 Wednesday, March 23.
 23,000

 Thursday, March 24.
 2,050

 Friday, March 25.
 53,781

 Faturday, March 36.
 24,058

Average Circulation for February 24,510.

THE metal in the standard silver dol lar has now shrunk in its market value to a fraction below 66 cents.

WHEN the clock strikes twelve to night the Iowa legislature will close its session and silently steal away.

BLAND and Crisp may yet be forced to settle the question of veracity between them by an appeal to the code duello.

SPRINGER's free wool bill will probably enjoy about as much popularity as the Bland silver bill. This is a do-noth-

of the probable adjournment of congress. Fortunately for the country, June 1 is only about two months off.

JUNE 1 is now mentioned as the date

THE secretaries of the State Board of Transportation still maintain a masterly inactivity, but their pay goes right on at the rate of \$2,000 a year.

THE chairman of the committee on janitors of the Chicago Board of Education has been indicted for soliciting a bribe. This is decidedly suggestive.

REPUBLICAN clubs should be formed in every city, town and precinct in the state without delay. The next campaign means business from start to fin-

SENATOR STEWART will now, in all probability, push his silver bill to a vote and force Hill, Gorman and Brice to show their hand whether it passes or not.

MR. BLAND probably feels that there are moments when one should be alone and the present is one of them. There is nothing in parliamentary rules anywhere equal to the emergency.

CLAUS SPRECKLES is not a philanthropist. He is a sugar king for the money there is in the dignity. Consequently no one is surprised to hear that he has accepted advantageous terms from the sugar combine.

THE police officer who was assaulted and shot at by burglars exhibited good nerve, but his services will be more highly appreciated hereafter if he will manage to get the drop on the burglars instead of giving them that advantage over himself.

ATTORNEYS whose avarice leads them to extort unconscionable fees or to engage in sharp practice to acquire real estate, are beginning to understand that Judge Scott will make the temperature very torrid in their vicinity. The latest dread Scott decision catches a Burt county attorney in a very disgraceful transaction and burns a hole clean through him.

THE determination of the assessors to list all corporation property in the ward where it is situated, to assess the Belt Line railway as a local corporation, and to include all property not actually used for churches, charitable and benevolent institutions, will be approved by all good citizens. The prospects are good for a thoroughly honest and efficient assessment of all taxable property.

THE Warsprite is reported as a very formidable ship which could make scrap iron of our heaviest cruisers. We are also advised that England has a dozen such men-of-war within easy reach of Bering sea. Nevertheless, it is observed that Lord Salisbury has seen a way for the prompt renewal of the modus vivendi, and poaching sealers are advised that they go into the disputed sea at their own risk.

THE Real Estate Owners association will be idle all summer if it proposes to depend upon its circulars to obtain funds for prosecuting the good work it wishes to undertake. Circular letters are all right in their way, but not one man in 100 will give up cash in response to a printed request. A live secretary or assistant secretary making a personal canvass will do more in a week than circulars can accomplish in a year.

FREQUENT burglaries and other depredations are conclusive proof that a round-up of all the toughs, vagrants and disreputables will be good policy. If the police force is not large enough to make a success of the job let the chief call in a hundred citizens. Nothing has ever had so healthy an effect upon the vicfourly disposed of the city heretofore as a general jailing of all classes of persous who have no visible means of support.

PARTISAN INJUSTICE.

It was to be expected that the English government organs would ascribe the position taken by President Harrison in the Bering sea controversy to political motives. Being on the wrong side of the argument and unable to controvert the sound and logical contention of this government, it was entirely natural that the British tory newspapers should endeavor to belittle our position by charging that it was prompted by considerations of party expediency, thereby implying insincerity on the part of the president. This is perhaps pardonable in the English press, and particularly that portion of it which represents the views and policy of the government.

But it was not to be expected that this assumption of the English government organs would find authority and approval from any reputable American newspapers, and it is a notable illustration of the intensity of partisan hostility that it has done so. The democratic and mugwump press have not hesitated to assure the tory newspapers of England that they were right in believing that the president was seeking to make political capital out of the controversy for use in the presidential canvass They have charged that he was endeavoring to foment international trouble for party or personal ends, that his aim was to work up an excitement over this matter which would arouse national pride and obscure the legitimate issues of the domestic political contest. The course of the administration in insisting upon a proper and adequate recognition of the rights claimed by the United States, involving the preservation of a great industry of value to all manking and imperilled by the piratical operations of Canadian poachers, is declared by the partisan opponents of the president to be a "jingo" policy, dictated by a political exigency.

The utter injustice of this charge, to say nothing of the complete lack of patriotic feeling which it implies, must be conceded by every fair-minded man who has carefully followed the progress of the Bering sea controversy under the Harrison administration. Instead of seeking to foment trouble, the concessions made in order to avoid trouble have been made chiefly by this government. In arranging the terms of arbitration nearly everything asked by the British government was allowed. Twice at least, after it was supposed that everything had been settled, Lord Salisbury proposed changes, affecting more or less radically the original arrangement, which were accepted by the administration. Although the importance of time, was felt to be urgent, the State department was most indulgent of the tardy course of the British foreign office and in every way, in short, this government manifested the most earnest desire to arrange for a peaceable and honorable adjustment of the contro-

After the two governments had settled the question of arbitration, and the treaty had been sent to the senate, Lord Salisbury decided not to renew the agreement of last year for the protection of the seal. This was a very vital matter, and the surprise and disappointment of the administration at the decision was natural and reasonable. It had expected a renewal of the modus vivendi as an essential condition to arbitration. Lord Salisbury was asked, in diplomatic nguage as free from the "jingo" spiri as it was possible to frame it, to reconsider his decision. He declined in very positive terms to do so, and thereupon this government replied that it must insist upon its demand for the protection of the seal and if Great Britain would not join it in giving the necessary protection it would assume the task alone. The e was no menace in this. It was simply an assertion of the determination of the government not to permit its rights to be ruthlessly violated and its laws defled by British subjects, even though their operations had the countenance of their government, and it is a position which should have the approval of every American citizen.

The results have most amply vindi cated the firm, judicious and patriotic course of the administration. The last note of Lord Salisbury is regarded as a concession of the demand of this government, the completeness of which is not materially affected by the conditions which he proposes, and which it is understood are satisfactory to the administration. The partisan critics of the president are discomfitted and the outcome, as now promised, is a diplomatic victory for the administration of which the country should be proud.

A CIFY ELECTRICIAN. The ordinance creating the office of city electrician should be enacted without delay. There is a sense of uneasiness all over the city regarding the electric wiring that has been done heretofore. Much of it has been carelessly placed and the best business blocks in the city are in danger of fire from electric sources. The business of lighting by electricity is comparatively new and the multiplied uses to which electricity is applied have complicated the problem of how to deal with this new element of danger very greatly in

The censensus of opinion is that the mechanical work of placing wires should be performed under expert supervision, just as plumbing must be done by men who have given proof of their ability as plumbers, except that the rule should go further. Not a wire should be located in a private dwelling or business block, or upon the streets or alleys. without a permit from the electrician. who should be required to make tests that will afford a guaranty for the safety of buildings. Thus responsibility for any accident arising from negligence might readily be determined and a healthful restraint be thus placed upon electric

contractors and companies. The inspection of the electric lights may also be placed under his control, though this should by no means be his principal duty. What we want particularly is an expert in electrical engineering who is familiar with the detaits of electrical machinery. His first duty her prosecuting attorney that it is imshould be the inspection of all buildings penetrated by electric light wires, to de-

self with the whole electrical wire system of the city. These duties will require an electrician and not a politician.

FOREIGN CAPITAL IN THE WEST. An Englishman who is largely interested in English loan and mortgage companies, which have placed \$7,000,000 in western investments, said to the representative of a Denver paper, that Eng-I'sh capital prefers the west for investments, but that the confidence of investors had been seriously shaken by adverse legislation and by the apprehen! sion that there would be more of it. He said that the alien land law of Texas had kept millions of foreign capital out of that state, and although it had been declared unconstitutional it will be a long time before Texas will recover from the harm inflicted by the passage of the law. The demands of the alliance in Kansas and other states, he said, had also had the effect to repel foreign capi-

tal from investments in the west. There is not the least reason to doubt the credibility of this testimony. Abundant corroborative evidence could undoubtedly be secured without much difficulty. How seriously this want of confidence on the part of foreign capital has interfered with the material prosperity and progress of the west during the past two or three years can only be a matter of conjecture, but it is not to be doubted that the effect has been harmful, and that the growth of the west must continue to be retarded so long as the conditions which are responsible for the lack of confidence remain. The attempt to deprive aliens of rights in property, which was done by the Texas law, is not likely to be general, because it is well understood that such laws are repugnant to our treaty obligations, but there are manyother ways in which capital may be repelled, and some of these are contemplated in the

economic policy of the third party. No argument ought to be necessary to prove the obvious proposition that it is not sound policy for a new country to drive away capital, and the more encouragement that is offered to foreign capital to invest the greater the probability of reducing and keeping down the rate of interest, since that capital is usually satisfied with a reasonable return where the investment is satisfactory. The people of the west need to give more careful and intelligent study to this subject than they have heretofore done. In order to stimulate development they must invite capital by giving it every necessary assurance of just protection.

THE TREATY RATIFIED.

The senate has unanimously ratified the Bering sea arbitration treaty, without restrictive conditions. This action clearly indicates that the last note of Lord Salisbury was satisfactory to the administration, and that the conditions upon which he stated that the British government would renew the agreement of last year will be accepted by this govornment. Until this note was received the general feeling in the senate was that the treaty should be ratified only with the condition that the modus vivendi be renewed, and undoubtedly this is what would have been done had Lord Salisbury persisted in his decision. His concession, however, changed the situation most materially, and the earnest desire of this government to reach a peaceable and honorable settlement of ne Bering sea dispute is again manifested in the attitude of the administration and the action of the senate.

This controversy may now be regarded as practically at an end, so far as diplomacy is concerned. There will be some further correspondence relating to the new conditions proposed by the British government, but no difficulty is apprehended in coming to a satisfactory understanding. The United States government having now fully performed its part, it is to be presumed that the British government will lose no time in making good its assurances, and if the controversy shall be submitted to the arbitrators as promptly as possible a settlement may be reached before the sealing season of 1893 comes round. At any rate, all present danger of a more serious conflict over this dispute has passed, and the administration of President Harrison is to be credited with a notable diplomatic victory.

PURSUING THE WRONG POLICY. In laying out the paving districts for the present year the council should endeavor to work from the center to the circumference. There are still fifteen or twenty unpaved blocks in the very heart of the city. Douglas, between Sixteenth and Twentieth, and the cross streets west of Sixteenth to Twentieth between Farnam and Dodge are perfect quagmires and the paved thoroughfares hat have been the pride of the city are constantly overlaid with the mire that is deposited upon them after every rain storm from the adjacent unpaved streets. This is also true of Park avenue, Georgia avenue and cross streets in the southwestern portion of the city. In a measure this neglect to pave from center to circumference has also made almost impassable the paved streets in the northorn portion of the city and made street cleaning and street sweeping almost

The policy of paving by streaks here and there in the outskirts and leaving whole streets unpaved in the population and traffic centers is unbusiness like and destroys the primary object of our pavements, namely, the cleanliness, healthfulness and ease of locomotion. So long as the present policy is pursued we may as well discontinue street cleaning and quit bragging about Omaha being the best paved city in the west.

As MIGHT have been expected the Pullman car bill, which proposed to regulate the rates of fare on sleeping cars, has been defeated by the Iowa legislature. A liberal distribution of Pullman car passes and a deposit of axle grease where the creaking was loudest had the desired effect.

PENNINGTON COUNTY, South Dakota cannot afford to have the statement of possible to convict a white man for killpenetrated by electric light wires, to determine whether or not they are so placed as to avoid ordinary risk from fire. He should then familiarize himstand an Indian cannot exist not permitted to the people of this territory; ing an Indian go unchallenged. Cer-

among the intelligent settlers of Pennington countycuoThe Indians have not forgotten the firsco of a trial accorded the cold-blooded murderers of old Few Tails, but that erime happened when the tribes were hostile and is thus patliated, though not justified. The present case of the murder of an Indian by Whipple is absolutely inexcusable, and the evidence appears to be conclusive against Whipple, South Dakota has suffered enough on account of the Few Tails case. She should force her law officers to prosecute this murderer to the

MR. BRYAN'S organ in these parts, commenting on the speech of the handme-down statesman from Nebracka, professes to have discovered that the tariff legislation of congress has increased the number of tenant farmers by making agriculture less profitable. Admitting, for the sake of argument only, that the tariff has made farming less profitable, how can any sane man conclude that it increases the number of tenant farmers? Will a shoemaker hire hands to make shoes when he finds it unprofitable to make them with his own hands? The idea is preposterous that a renter can cultivate the land he rents at less cost than the owner of the same land who has no rent to pay. If the Bryan argument were correct the owners of lands would not be able to secure tenants on any condition.

THE deeper the Chicago grand jury digs into the municipal compost the more rotten becomes the mess.

Philadelphia Times. Curiously enough when brought to the test the claims of the free silver folks fell off quite 30 per cent.

> What Kitted Bland. New York World.

When Mr. Bland mingles free coinage with tyrauny and autocracy he will propably find that his cause is weakened instead of strengthened.

> A Typical Democratic Boss. Chicago Herald.

It becomes more and more evident from the sentiment manifested by the democrats of Illinois at their county conventions that they are not going to nominate a man for governor of this state merely because the boss gambler of Chicago says they must,

> A Fortorn Hope. Globe-Democrat

If all the democrats had the courage of their ignorance that Bland bill would have been sent to the senate last week. The fear of the defeat of their national ticket in the coming canvass forced many free coinage men to oppose that measure when it was up.

A Patriot for Profit.

Chicago Times. Ben Butler says he wants to see the American flag waving from the north pole. No doubt he does, and from every other pole, stick, city hall, little red schoolhouse and fourth-class postoffice. Ben has a monopoly of the bunting business and likes to see trade

A Frazzled Boom.

Detroit Free Press. The Alger boom seems to lag, and his home organ is trying to start it up by opposing Harrison's renomination and inviting 'the friends of all the other candidates to join in the exercises. But it won't do. There are a few men besides Harrison who stand some show of a chance of getting the republican nomination, but General Alger is not one of

Ignorance and Malice.

Chicago News. The tory newspapers of England are fain to believe that the vigorous policy adopted by the president regarding the Bering sea matter is a bid for political favor. They say about the same thing whenever the president of this country signs a bill or holds a reception. In fact, English newspaper writers seem to believe that presidential elections are held in America every fifteen minutes.

Death of a Noted Editor.

Kansas City Journal. For more than twenty years Morrison Mumford has been a prominent character and an important factor in political and general affairs of the rapidly growing west, and to Kansas City he has been a never faltering champion and a never tiring friend. His death leaves his place vacant. In whatever be undertook to do he never recognized the possibility of failure so long as physical endurance and time left a straw within his grasp. Countless beneficiaries of these characteristics of the man will read of the ending of his life work with feelings of the sincerest grief. If there are any exceptions to the rule, they are of those who received

but never gave. At all times his chief pride was his news paper (the Times). In that were centered his ambitions, his hopes and his cares. It is not without warrant to say that his failure to stem the tide of business complications, which resulted in the loss of his paper, was in a very great measure responsible for his death. This fact, if nothing else, would account for the feeling of universal sympathy that today pervades this community, where his every influence has been so strongly felt. The world is just to one who has its sympathies, and even enemies and cowards smile approval of the truth when death stands witness.

ELIOT AND THE MORMONS.

Boston Traveler: He certainly owes his college and commonwealth an explanation, if he has one to offer, and if he is prepared to ferred to we cannot help thinking that his usefulness at Harvard is over.

New York Advertiser: By the utterance of a few kindly common places he has doubt-less won the Mormon heart. His are the first charitable words that they have ever heard. And beyond question they have stirred a gratitude that will make of Utah another

New York Sun: We think that President Eliot has a certain, tendency, not uncommon in New England, to instruct persons who have passed the school age as to their duties; and in his peragrinations through the country he is sometimes a little unfortunate in his choice of subjects. ice of subjects

Buffalo Expresse President Eliot of Harvard got so wrapped up with generalities about colonies being founded by persecuted religious sects that he let husself compare the Mormons with the pilgrim fathers. Dr. Eliot is like all other mugwumps. He fixes his general theory and if practical, every-day experience doesn't fit it, so much the worse for experience. Boston News: President Eliot has said

occuliar things in his life, but none that point so menacingly at insanity as his words at Salt Lake City, in which he compared the Mormon emigration and settlement to the adventure of the Paritans, with the plain implication that the personations suffered by the latter were wholly on a plane with the necessity the Mormons have been under to complying with the laws of the United States. Sait Lake Trioune: It was not that Prof. Enot received hospitalities from the saidts and said kind things of them that any one here objected to his remarks. It was that be went out of his way to intimate very strongly and he said it in such a way that he carried the idea that, in his desire to toady to a cer-tain class here, he was willing to betray his ignorance and to make, if necessary, false statements. All in all, he made a precious old ninny of himself, even as he generally does when he gets on a restrum and opens does when he gets on a rostrum and opens his mouth.

Philadelphia Ledger: President Eliot of Harvard said some liberal things to the Mormons at a meeting in the Mormon temple (Sait Lake City) an evening or two ago, and not only among the gentiles in Utah, but down in New England an agitation is the result. President Eliota friends aver that suit. President Elious friends aver that what he really said has been exaggerated. that he can't said has concluded to assert that the Harvard president has concluded to settle down in Sait Lake and embrace Mor-

Chicago Inter Ocean: President Charles W. Eliot, in defense of his speech in the Mormon tempte at Sait Lake, has tele-graphed to the Boston Advertiser: "Polygamy is completely abandoned as a doctrin of the Mormen church, and has been made crime by the vote of Mormons." On this point the people who live in Sait Lake and in all parts of Utah do not agree with Presidest Eliot, and it must be confessed that a resident of years knows more than a visitor of two days.

Springfield (Mass.) Republicau: President Eliot of Harvard will begin to wish pretty soon that he had not made any speech at all to the Salt Lake Mormons, and probably wishes now that he had not slopped over quite so badly as he did. The gentiles in tab are scoffing at bim for his eulogy o Mormonism; in Denver they are laughing him and at home in Cambridge the students and professors of his own college do not dis-guise their opinion that he has made a bad

THE NEW APPORTIONMENT.

How the States Will Count in the Elec

The following table exhibits the electoral votes of the states under both the old and the new apportionment. The increase in the total vote since 1888 is accounted for to the extent of twenty votes by the creation of the new states of Idaho, Montana, North Dakota, South Dakota, Washington and Wyoming, and as to the remainder by additions of twenty-three voices to the states, as follows: Alabama, 1; Arkansas, 1; States, as follows: Alabama, 1; Georgia, 1; Illi-California, 1; Colorado, 1; Georgia, 1; Illi-Massachusetts, 1; Michitwenty-three votes to the apportionments of nois, 2; Kansas, 1; Massachusetts, 1; Michigan, 1; Minnesota, 2; Missouri, 1; Nebraska, 3; New Jersey, 1; Oregon, 1; Pennsylvania, 2; Texas, 2; Wisconsin, 1; States. Alabama.....

Arkansas		- 8
California	ė	ő
Colorado	2	- 2
Connections	6	ő
Connecticut		3
Denware	3	
Fiorida	4	4
Georgia	12	13
*Idaho	-	3
Illinois	99	24
Ind iana	15	15
Iowa	13	13
Kansas	9	10
Kentucky	13	13
Louislana	8	- 8
Maine	6.	6
Maryland	8	- 8
Massachusetts	14	15
Michigan	13	14
Minnesota	7	9
Mississippi	ò	9
Missouri	16	17
*Montana	***	13
Nebraska	75	8
Nevada	3	3
New Hampshire	9	4
New Jersey	3	10
New York	35	36
North Camillan	11	11
North Carolina		- 11
*North Dakota	23	23
		23
Oregon	3	
Pennsylvania	30	33
Rhode Island	4	- 4
South Carolina	9	9
*South Dakota	-	4
Tennessee	12	12
Texas	13	15
Vermont	4	- 4
Virginia	12	12
*Washington.	-	- 4
West Virginia	6	6
Wisconsin	11	12
*Wyoming	-	3
Total	401	444
*States organized since 1888.		
Comment of the Commen		

IDLE THOUGHTS FOR IDLE HOURS.

New Orleans Pleayune: Souvenir spoons ave created quite a stir-

THE PARSON IN POLITICS. New York Herald.

The parson from his pulpit sought to extirpate And his soul was filled with rapture at the brospect of the thin;
And he waded in with vigor, and he smote
them hip and thigh,
Till he fancied in his innocence that victory
was nigh.

But the ring had lots of patience, and it smile a childlike smile. And it bided its own inning for a brief yet tryin: while:
Then it took its little boycott, when it thought
the time was ripe.
And it knocked that parson silly with one swift, eyclonic swipe

Dallas News: When you see a man in brown study you may know that his goose i cooked.

Boston Courier: A chaplain in a peniten-tiary never has to exert himself to "noid his audience." Somerville Journal: The time is almost here when the family man who does not know how to beat carpets will have an opportunity

HOW IT WOULD WORK. Indianapolis Journal.

The great white ezar in Petersburg
The kaiser in Herlin,
Have dared each other out to fight. So let the fray begin

The border's dyed a deep, deep red, In battle, war and sin:
The exar is safe in Petersburg.
The kaiser in Berlin.

Chicago Tribune: Intelligent Foreigner (to parior car acquaintance)—I am indebted to you, sir, for a most enjoyable afternoon and much political information. You are in public life. I presume?

Distinguished-Looking American—No, sir, fam a lieutenant governor.

Detroit Free Press: The manager of the ime museum was feeling pretty rocky when e met the snake charmer at dinner. "How are your snakes today?" he inquired by way of salutation.

"All in their cares," she responded pleasantly. "How are yours?" and the manager went out to the flowing hydrant in the back yard and stuck his head under it.

Washington Star: "I don't know," said the good looking policeman, "that I won't have to have some of these ladies arrested for resisting an officer. That's the third one who has refused to let me help her over the crossing.

Hartford Journal: The latest fad is to turn the back of the plane away from the wall and towards the room. If the performer could now be induced to turn her back to the plane Philadelphia Times: Many a man who re-

joices at the probable extermination of trusts in this country kicks if his tallor shows any willingness to help along its coming in his Eimira Gazette: Jasson says it is no proof that love is permanently blind simply be-cause a bridal trip to Niagara Falls Joesn't remove the cataract.

Yonkers Gazette: "But" is a conjunction, but you never realize it so thoroughly as when a poat administers it.

THE WAITER GIRL.

Detroit Tribmne.

Oh, she isn't very pretty.
Bût she has a saucy nose.
And you bet your life she's gritty—
Rather more than you'd suppose. She can face the meanest drummer With the utmost of song froid, And make him think his mamma Should be caring for her boy.

She can sileuce any kicker In a fraction of a trice. And make him think she's slicker Than a dollar cake of ice.

She can be as smooth as butter, Or as hird as is the bread. She will also be "too atter" When a masher turns her head.

She speaks Chinese and Zulu With fluency and case. And chews on taffy-tuli In a way that's sure to please.

To England's tongue a stranger-With some exceptions rare— And that is why there's danger In her oral bill of fare. Though she's careless in her talking,
I will gladly over ook
Even soleclams shockin:
For she stands in with the cock.

BOYD-THAYER CASE AGAIN

Motion to Reopen the Matter Argued Be fore the Supreme Court.

BOTH SIDES THOROUGHLY REVIEWED

At the Conclusion of the Statements of the Attorneys the Motion Was Taken Under Advisement-Decision Expected Today.

Lincoln, Neb., March 29.-|Special Telegram to THE BEE. |- The motion of the attorneys representing General Thayer to reopen the Thayer-Boyd case was argued before the supreme court this forenoon. Thayer was represented by Blair and Reese and Governor Boyd by General Cowin Blair read affidavits of Thaver and himself as published in Tue Bes on Sunday, and asked the court to reopen the case and per mit Thaver to file a reply to Boyd's answer General Cowin made a strong argument in opposition to the motion. He called the at-tention of the court to the fact that Thayer's demurrer was not an ordinary demurrer, but that it was in fact a prayer for judgment or the pleadings. He stated that the Nebraska court had not only sustained the demurrer, but had entered judgment on the pleading and issued a writ of ouster on Boyd withou giving the latter an opportunity to file an amended answer. General Cowin then reviewed the case from its inception to the day the opinion of the supreme court of the United States was recorded. He main-tained that the supreme court of the United States had by a majority of a quorum of the bench established the fact of Governor Boyd's citizenship. Mr. Cowin spoke for over an hour and his brief argument was both eloquent and complete.

In reply Mr. Blair argued that the decis-

ion of the supreme court of the United State in effect decided nothing but that the Ne braska court erred in sustaining Thayer's demurrer. On the question of citizenship he maintained that four judges had dissented from the opinion of the other four, thus leaving the question undecided.

Judge Reese of this city also made a brief

argument on the motion to reopen the case.
At the conclusion of the arguments Chief
Justice Maxwell stated that the motion would be taken under advisement. No decision is looked for before tomorrow.

Railroad Company Makes Answer. The attorneys of the B. & M. railroad have filed their answer to the complaint made by the citizens of the town of Rulo before the State Board of Transportation in regard to the opening of Commercial street across the company's right of wav through that town. In their complaint the Rulo people asserted that the railroad company had closed one of the principal business thoroughfares of the people. The railroad company answers that there is a deep excavation where the railroad crosses the street referred to which in-terferes with the use of the street as a public highway; that it is wholly impracticable to grade the street across the right of way and that it is equally impracticable to bridge the same overhead. A crossing at the piace in-dicated would be unnecessary and danger-ous. It is also alleged that the public is not inconvenienced by reason of the closing of the street, as the street on either side is open and kept in good repair. The board will hear the case at an early date.

Litigation Over a Garden.

The attention of Judge Hall and a jury was engaged this afternoon in a suit over a market garden. The case was brought by Christian Adams against the Lincoln Street Railway company. Anderson runs a market garden on both sides of Hill street near Eighth, This garden was drained by a small ravine. When the railway company exravine. When the railway company ex-tended its line along Hill street it crossed this ravine at right angles, thus forming a dam which backs up the water whenever there is a heavy rain and thus overflows the garden and cellar of the plaintiff. He sued for damages in the amount of \$2,500.

Supreme Court Notes.

Court met pursuant to adjournment. following gentlemen were admitted to practice: J. W. Evans of Douglas county, Frank M. Loomis of Iowa county, Willis L. Hand of Buffalo county. The following causes were argued and submitted: Parish vs Heal, Sherwin vs Gagbagen, Houck vs Heinzman, Wayne county vs Cobn, Dowing vs Overmire, Walters vs Knutzen, George vs Ednay,
Ciarke Banking company vs Wright, Smith
vs Johnson, Chicago, Burlington & Quincy
Railroad company vs Anderson, Coffman vs
Headley, Hash vs Baler, Harrington vs
Birdsall. The following cases were continued: Gilcrest vs Nantker, First National
bank vs Barstow, Seven Valleys bank vs
Smith. The following cases were dismissed. Smith. The following cases were dismissed:
Averhoff vs Searles, Majors vs Irish, Missouri Pacific Rattway company vs Wenninger. Rice vs Gibbs, motion for rehearing sustained; State ex rel Pomarene vs Cooper, and property of the property of the search of case referred to Jame E. Ferris, esq.; Blake-ley vs Missouri Pacific Railway company, submitted on motion to advance case; Udali vs Owen, death of defendant suggested Court adjourned to Wednesday, March 30.

Letter from Senator Manderson. Governor Boya today received the following self-explanatory letter from Senator Manderson: "I am in receipt of your favor of the 14th inst, giving your opinion as to the necessity for calling out the national guards of the state during the Sioux troubles on our northern border in the winter of 1891.
Your letter is exactly what I desired, and if I am unable to add it as a supplement to my report I will use it when the till

comes up for consideration in the senate.
Prior to the receipt of your letter
the committee on military affairs of the senate authorized me to report a bill making an appropriation of \$42,000, or so much thereof as might be necessary, for the purpose of defraying the expenses of the state incident to this use of state troops for national pur-poses. I expect to get the bill through the senate shortly, and I hope that my colleagues in the house will give it their attention, so that the bill can be made a law during this

session of congress." Rent Money in Litteration.

Judge Tibbetts and a jury have been absorbed in the case of W. H. Swinton against Sheriff McClay. Two years ago the sheriff, under an execution issued by the district court, took charge of a steek of goods owned by a man named Megaghan. The matter by a man named Megaghan. The matter became involved in a series of law suits, and in the meantime the goods were sold out. Swinton owned the building where the goods were sold, and he now sues the theriff for the sum of \$500, which he contends that is due him as rental for his property.

Odds and Ends. The public library has received a large shipment of books direct from Sweden as an addition to the Swedish section. Nelson Westover's \$5,000 damage case against Chief of Police Dinges was reached

in district court today but postponed for fifteen days. The Young Men's Republican club will hold an important meeting at the Capital

botel tomorrow evening.

The new Young Men's Christian association building will be formally dedicated to-

morrow evening.

The rear wall of the building at 915 O street was this morning condemned as unsafe by the chief of the fire department. Judge Borgelt has so far recovered as to be able to walk around the house. He is in a fair way to resume his official duties. In order to circumvent the ticket specu

lators Manager Church of the Lansing theater has arranged to give a matinee per-formance of 'Sinbad" Thursday afternoon at popular prices.

PASSING OF A PIONEER.

Meyer Heilman, the Veteran Merchant, Dies After a Protracted Illness.

The ranks of the old settlers are fast being depopulated by the reaper whose name is Death. The latest to respond to the summons is Meyer Hellman, who, caimly and peacefully, like a child asleep, passed awayat 3:20 yesterday morning, after an illness of three weeks. For a week past it was thought that Mr. Holl man would recover from his throat affection, as he had at other times, for he has been a sufferer for years from the malady which finally refused to yield to the ministrations of the physicians, but he grew gradually worse and sank into unconsciousness an hour and a half before dissolution ness an hour and a half before dissolution

At the time of his death his bedside was surrounded by the members of his family, his wife: Blanche, his eldest daughter; Mabel, Selma, Lillian, Clarence and his youngest child, Gracie, in addition to the attendants, who watched the growth of the disease from the moment he was compelled to take his

Meyer Hellman was born at Muchausen, Germany, November 9, 1831, and was therefore in his 58th year at the time of his death. He came to America in May, 1850, and located in Cincinnati, where he entered business for a clothing house as its traveling representative. In his travels through the country he observed the growing power of the west and, believing that the "star of ompire" was to the westward, finally decided to east his fortunes in Omaha, then a very young village, and he located in the metropois of Nobraska in 1856.

Where the First National bank now stands a modest store was creeted by M. Heliman & Co., the company until 1886 being Mr. Aaron Cahn, his brother-in-law, and for ten years the firm continued in business there. With the firm continued in business there. With their success came increased property inter-ests and not a great while after the firm had started in trade they had purchased the cor-ner lot at Thirteenth and Farnam.

In 1866 a disastrous fire swept away the one and two-story frame houses in the block where the Hellman store originally stood, and for a time the block was unoccupied. But the different lot owners got together and decided to build a brick block, M. Hellman & Co., taking the southeast corner of Farnam and

Thirteenth streets for their site.

On August 15, 187!, M. Heilman was married to Miss Maria Rau of Louisville, Ky. In addition to a wife and six children Mr. Hellman leaves a brother and two sisters to mourn his domise, Mr. Ben Hellman of Cheyenne, who is now in the city, Mrs. Aaron Cabn of Omaha and Mrs. David Wise of Cincipnati. He was one of the members of Capital lodge No. 3 Ancient Free and Accepted Masons, and for many years a member of the Royal Arch Chapter, of which bodies, as well

as of the Temple Craft, he has been treasurer. He was also a member of the Veteran Free Masons of Nebraska. He was also a member of the Hebrew Benevolent associa-It is thought the funeral will be held Thursday afternoon from the deceased's late residence on St. Mary's avenue, and will be under the direct charge of his Masonio

brethren whose interests he served with sig nat ability for many years and by whom his

death will be sincerely and universally

Coming from Oregon. Mr. G. W. Staver of Portland, Ore., is in the city. He is the lay delegate to the Methodist conference from the Portland annual conference. Mr. Staver says that a great many people are coming to Omaha from the metropolis of Oregon, and in all probability an excursion train will be run to ac-

commodate the conference visitors.

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S. W. Corner 15th and Douglas Sti.

Boys'

School Suits---Now when you want them you can get

them. For this Vacation week we make special prices on everything

KILT SUITS, \$3.50 up to \$1 and \$5. KNEE PANT SUITS, \$2.50 \$3, \$4 and \$5. LONG PANT SUITS, \$2.50 and \$5 up to \$10 13 to 18 years,

Boys' Hats, 50c, 75c, \$1 and up. Shirt Waists 40c, 75c, \$1 up to \$6.50. Boys' Hose with knee protectors, collars, neckties, all boys' furnishing goods and elegant boys' spring overcoats at special prices for this Vacation week. Pleasant parlors for ladies' and children to rest in or to make purchases. Many new and novel styles.

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